

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JOSEPH RED THUNDER,	)	CASE NO. C05-0283-RSL
	)	
Plaintiff,	)	
	)	
v.	)	ORDER RE: MOTION FOR
	)	APPOINTMENT OF COUNSEL
MR. MUNDAY, et al.,	)	
	)	
Defendants.	)	
_____	)	

Plaintiff proceeds *pro se* and *in forma pauperis* in this 42 U.S.C. § 1983 action. His motion requesting appointment of counsel is currently before the Court. (Dkt. 9.) Having considered plaintiff's motion, the Court does hereby find and ORDER:

(1) There is no right to have counsel appointed in cases brought under § 1983. Although the Court, under 28 U.S.C. § 1915(e)(1), can request counsel to represent a party proceeding *in forma pauperis*, plaintiff has shown neither exceptional circumstances, nor an inability to articulate his claims *pro se* that would warrant the appointment of counsel. *See Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986). Accordingly, plaintiff's motion for appointment of counsel (Dkt. 9) is DENIED.

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01 (2) The Clerk shall send a copy of this Order to plaintiff, to counsel for defendants, and  
02 to the Hon. Robert S. Lasnik.

03 DATED this 6th day of May, 2005.

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05 Mary Alice Theiler  
06 United States Magistrate Judge  
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